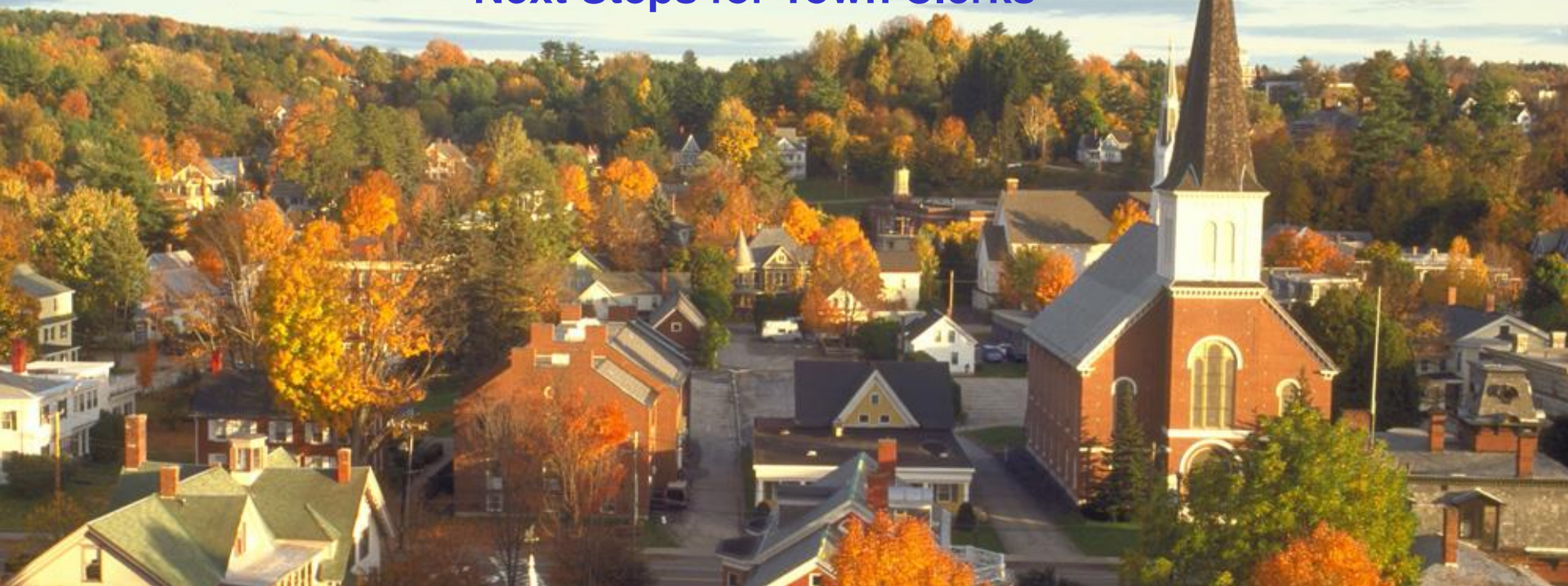


Act 46: Vital Records

Overview of New Statewide Registration System and Next Steps for Town Clerks



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**Vermont Municipal Clerks' and Treasurers'
Association 82nd Annual Meeting Presentation**

September 21, 2018

The Vermont Department of Health

Act 46: “An Act Relating to Vital Records”

Today’s presentation will provide:

- Background on Act 46;
- Highlights of the statute changes;
- Postponement of Implementation;
- Impact on Town Clerks;
- Primary Functions of VRIMS (in development);
- Training Plan and Materials
- Communications and Website
- Next Steps

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Act 46: An Act Relating to Vital Records

Background

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Act 46: Background

- In 2016, the General Assembly passed a Vital Records bill that became Act 110.
- Act 110 created a Vital Records' Study Committee and directed the Committee to,

“study Vermont’s laws governing the administration and issuance of vital records and best practices in other jurisdictions with regard to the administration and issuance of vital records, and recommend proposed legislation to reform Vermont’s vital records laws.”
- The Study Committee met throughout the summer and fall of 2016, and issued a report in November 2016. A copy of the report is available at:

<http://legislature.vermont.gov/assets/Legislative-Reports/2016-VitalRecordsStudyCommitteeReport.pdf>

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Act 46: Background

- Legislative Council was requested by members of the Vermont House to draft a new bill that would:
 - modernize the statewide system of Vital Records;
 - enact common definitions and standards;
 - eliminate inefficiencies and archaic language (some of which was 50+ years old), and
 - Implement reasonable protections for birth and death certificates of Vermonters to reduce the opportunity for identity theft and fraud.
- Legislative Council used the Act 110 recommendations as a blueprint, and conducted research and interviews with stakeholders and experts. The end result was three different bills; primary was H.111 introduced in January 2017.
- H.111 passed out of the House and Senate in 2017 and Act 46 was signed by the Governor, with changes to go into effect on July 1st 2018

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Act 46: Postponement of Implementation

- From beginning of project there were concerns about lack of time necessary to complete technical changes and update procedures and policies.
- Encountered complexities and interdependencies within our electronic applications (EBRS and EDRS) that we could not anticipate.
- By April 2018, IT development on two components of the system wasn't going to meet schedule due to complexities and issues with vendor.
- Communications went out to Town Clerks on May 24th about a potential delay. On June 7th /June 11th Chairs of Gov. Ops. Committees/Town Clerks notified of delay.
- On June 26th, the legislature voted to extend implementation of Act 46 until July 1, 2019 via the budget bill and the Governor signed it.

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Act 46: An Act Relating to Vital Records

Changes to Statutes: Highlights

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Act 46: Changes to Statutes

A) Archaic / Outdated Language

- Changes or removes language that either no longer applies or refers to sections of law that changed (or were removed) years ago. Also, **eliminates restrictive language that caused inefficiencies**. For example:
 - Removes language about “crossing out” items on certificates;
 - Eliminates the need for typewriters;
 - Allows electronic transmission of certificates and changes between offices (rather than mailing versions back and forth);
 - Simplifies the processes for correcting and amending certificates, and reduces the types of changes that are shown on certificates.

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Act 46: Changes to Statutes

B) Clear Definitions / Standards

- Establishes clear definitions and removes much of the confusion of who is responsible for what. For example:
 - What is a “vital record” versus a “certificate;”
 - Certified and noncertified (informational) copies;
 - Which information is confidential;
 - Who is responsible for the statewide system, including requirements, support, etc.;
 - How are vital events to be reported and certificates to be created, stored and copies issued.

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Act 46: Changes to Statutes

C) Electronic Statewide Vital Records System

- Requires the usage of a statewide electronic system for the creation, storage, issuance and tracking of birth and death certificates.
 - Statewide system to include birth and death certificates of January 1st, 1909 – current;
 - Certified and noncertified copies issued only from the statewide system. Anything prior to 1/1/1909 still issued from paper copies (but issued certified copies must be tracked in the statewide system);
 - Searchable database maintained at Vital Records' Office with access provided to town clerks and VSARA;
 - Tracking / history maintained of all requests and security paper utilized.

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Act 46: Changes to Statutes

D) Tracking of Requests / Restricted Access

- Requires an application from requestors and enter into the statewide system. Also, restricted access to certified copies **only**. (No restrictions for noncertified.)
 - Certified copies can only be issued to family members, legal guardians, and certain other court-related parties and legal representatives;
 - Requestors will need to provide an acceptable identification. However, they do not need to prove the relationship to the person listed on the certificate;
 - Requestors that are not eligible for a certified copy or unable to provide identification to be referred to Vital Records' Office for review and/or denial;
 - Other instances under which access might be denied (e.g., Fraud Alert System; Missing Person notice; etc.).

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Act 46: Changes to Statutes

E) Storage / Updates to Birth and Death Certificates

- Required the Health Department to establish in rule-making the requirements for storage of and access to certificates and related materials and updating of certificates.
 - Existing paper versions of certificates do not go away – must be maintained in a fireproof safe or vault;
 - Access to paper versions in vaults will be allowed, but with some limitations;
 - Security (“engraved”) paper, town seal, etc. will need to be protected.
 - Certificates will be updated electronically and towns notified by the system when a certificate is changed or a new certificate is created;

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Act 46: Changes to Statutes

F) Fees and Participation

- The fee for certified copies does not change – remains at \$10.00.
- Towns may choose to “opt out” of the statewide system. (Must notify Vital Records’ Office in writing if choose to opt out.)
 - Towns that opt out will not be able to issue copies of birth certificates and death certificates within the period of 1/1/1909 -- current.
 - Would still issue marriage licenses and certified copies of marriage certificates.

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Act 46: Changes to Statutes

G) Changes at Vital Records Office:

- Maintain a Fraud Alert System;
- Review appeals / complaints of denial of access for certified copies;
- Process all corrections and amendments to birth and death certificates;
- Maintain a searchable index of all birth and death certificates for the public;
- Implement a security paper inventory system (required usage by everyone);
- Setup accounts and training for towns and VSARA to use the statewide system.

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Act 46: Changes to Statutes

H) Misc. Changes

- Births must be reported to Vital Records' Office within five **business** days (instead of calendar days).
 - Birth certificates will be created / registered at Vital Records' Office. (No paper certificate flowing from the hospital to town to Vital Records' Office.)
- The public will be allowed to obtain a certified copy at any town. No longer limited to obtaining at the town of residence or occurrence. (Any town clerk will be able to look up a record in the statewide system and print a copy.)
- Minor changes to marriage certificates and requirements for signing the license. (Additional information and revised forms will be coming from Vital Records' Office.)

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Act 46: An Act Relating to Vital Records

Benefits and Impacts on Town Clerks

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Act 46: Benefit to Towns

Benefits – *reduced workload, money saved, and statewide access.*

- No more mailing paper copies (to other towns or Vital Records' Office).
- No more correcting / amending certificates. (All handled by Vital Records' Office in the electronic system).
- Ability to print lists of records for your town.
- Ability to lookup any birth or death certificate for anywhere in Vermont (1/1/1909 – current).
- Less administrative activity, such as paper certificates from hospitals and registering them (or addressing errors by the hospitals).

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Act 46: Impact on Towns

There are business process changes that affect all of us (towns, VSARA and Vital Records Office) and the public.

1. Requests for Certified Copies

- Fill out a paper application with required information and show identification. This will be a new step for the public and for any office issuing copies.
- The application information will need to be entered into the statewide system in order to issue a certified copy. There may be cases when an issuing office may be required to deny the request (e.g., not one of the parties allowed in statute to have a copy; can't provide identification; Fraud Alert notice; etc.)
- This step may require five minutes of time by the requestor and five minutes of time by the issuing office.

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Act 46: Impact on Towns

2. Controlling Access to the Paper Certificates in Vaults

- Rules include specified controls or limits for the public wanting to access the paper versions in vaults.
- Requires visitors to sign in and out.
- Will require that materials used to create certified copies are kept under locked conditions and that computers cannot be accessed by the public.

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Act 46: Impact on Towns

3. Inventory / Usage of Security Paper

- New security (“engraved”) paper inventory system for Vital Records, so invoices will look different.
- New *electronic* process for reporting used paper.
- Security paper used for certified copies will be tracked in the statewide system.

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Act 46: Impact on Towns

4. Forms and Certificates will Change

- The new statutes require a significant number of changes to nearly all of the standard Vital Records' "forms" that you utilize or see on a regular basis. Vital Records Office will create and provide new electronic forms in advance of the effective date.
- The layout of the birth certificate will be changing. The new birth certificate format will be similar to the current death certificate (no gridlines).
- Certified copies of older records issued from the statewide system will not look like the paper certificates in vaults. (The statewide system holds data – not images.) **Certified copies of older records will have less information than original records and may have blank fields.**
 - For example, a certified copy of a birth certificate may not contain "plurality".

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Act 46: Vital Records Issuance Management System (VRIMS)

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Act 46: VRIMS

- New web based application for VSARA, Town Clerks and VR Office in development.
- Used to print copies of birth and death certificates, generate lists of births or deaths associated with your town, report security paper used for all events.
- Replaces your current EDRS access.

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Act 46: VRIMS

Vital Records Issuance Management System TEST 

[Start Menu](#) | User: **Tim.Berry** | Organization: **Addison Town Clerk** | [Logout](#)

Welcome, please select an action from the options below

Birth Certificate

[Print Birth Certificate](#) [Generate List of Registered Births](#)

[Report Pre-1909 Birth Issued](#)

Death Certificate

[Print Death Certificate](#) [Generate List of Registered Deaths](#)

[Report Pre-1909 Death Issued](#)

Other Actions

[Report Other Certified Copies](#)

2018 - Vermont Department of Health, Vital Records Issuance Management System Version 1.0.2018.04.16
Please forward questions or concerns to vitalrecords@vermont.gov 802-863-7275

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Act 46: VRIMS

Vital Records Issuance Management System TEST


[Start Menu](#)

 User: **Tim.Berry**

 Organization: **Addison Town Clerk**
[Logout](#)

Generate List of Registered Deaths

Town Office:

Addison Town Clerk

- ☐ Specific Date of Death ☐ Specific Date of Registration
☐ Date of Death in Range ☐ Date of Registration in Range
☐ Year of Death ☐ Year of Registration

Generate List

Clear

2018 - Vermont Department of Health, Vital Records Issuance Management System Version 1.0.2018.04.16

 Please forward questions or concerns to vitalrecords@vermont.gov 802-863-7275

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Act 46: An Act Relating to Vital Records

Training Plan and Materials

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Act 46: Training Plan and Materials

- Training will occur via webinar (Skype) at least 6 weeks in advance of July 1, 2019.
- Facilitated by Vital Records Senior Staff.
- Offered over the course of two weeks in 3 day blocks with multiple time slots (likely 90 minutes).
- “After Hours” or evening time slots will be offered.
- Policy and Procedure Manuals will be provided online in advance of training and as a reference.
- Policies and procedures will be in accordance with Act 46 rules.

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Act 46: Communications and Website

- VDH to attend VMCTA and Local Records Meetings.
- VDH to provide project updates to VSARA (monthly) and Town Clerks (content and interval to be determined).
- Solicit feedback on VRIMS.
- Update FAQs (on website) as needed.
- VDH Info Director exploring the option of placing all policies, procedures, communication materials on secure website.
- Posters and print materials to educate the public provided 8 weeks in advance of July 1, 2019.

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Act 46: Next Steps

Complete IT Development	October-November 2018
Complete Policy and Procedure Manuals	December 2018
Develop Training and Secure Website	February 2019
Training of Towns and VSARA	April/May 2019
Communications to Public	May 2019
Implementation	July 2019

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Act 46: An Act Relating to Vital Records

Resources / Contacts

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Act 46: Resources / Contacts

VDH web page with updates, FAQ and resources related to Act 46:

<http://www.healthvermont.gov/stats/vital-records/changes-vital-records-law>

Act 46 law:

<http://legislature.vermont.gov/assets/Documents/2018/Docs/ACTS/ACT046/ACT046%20As%20Enacted.pdf>

Act 46 Questions / Concerns, contact:

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General/Vital Records Questions - vitalrecords@Vermont.gov / 863-7275

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